United Nations S/2005/437

Security Council

Distr.: General
7 July 2005

Original: English

Draft resolution

The Security Council,

Reaffirming the purposes and principles of the Charter of the United Nations and its relevant resolutions, in particular its resolutions 1373 (2001) of 28 September 2001 and 1566 (2004) of 8 October 2004,

Reaffirming the need to combat by all means, in accordance with the Charter of the United Nations, threats to international peace and security caused by terrorist acts,

1. *Condemns* without reservation the terrorist attacks in London on 7 July 2005, and regards any act of terrorism as a threat to peace and security;

2. *Expresses* its deepest sympathy and condolences to the victims of these terrorist attacks and their families, and to the people and Government of the United Kingdom;

3. *Urges* all States, in accordance with their obligations under resolution 1373 (2001), to cooperate actively in efforts to find and bring to justice the perpetrators, organizers and sponsors of these barbaric acts;

4. *Expresses* its utmost determination to combat terrorism, in accordance with its responsibilities under the Charter of the United Nations.

05-41185 (E) 070705

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Security Council

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7 July 2005

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Letter dated 7 July 2005 from the Permanent Representative of Egypt to the United Nations addressed to the President of the Security Council

Upon instructions of my Government, and with a great sense of grief and bitterness, I wish to notify you and all members of the Council that the recently appointed Head of the Egyptian Mission to Iraq, H.E. Ambassador Ihab El Sherif, was killed today, Thursday, 7 July 2005, after four days of his kidnapping in Baghdad by a group of terrorists who claimed the responsibility for executing such a horrendous crime.

While Egypt continues to pursue every possible means to support the people of Iraq at this critical juncture of the country's political endeavours to maintain its national unity, sovereignty and territorial integrity, as well as to secure a successful implementation of the transitional political process endorsed by Security Council resolution 1546 (2004), it is regrettable that there still exist some groups who disrespect the sacredness of human life and insist on miscalculating their acts and misjudging the genuine role Egypt and other countries play in support of Iraq.

The Egyptian Government would like to assure the international community, as well as the people and Government of Iraq, that it remains committed in its support of the people of Iraq, and will continue to help preserve Iraq's national unity, sovereignty and territorial integrity.

In this context, Mr. President, my Government looks forward to a strong message from the Security Council condemning the increasing surge of violence against foreign diplomats in Iraq, in particular the killing of Ambassador El Sherif.

I will be grateful if you would have the present letter circulated as a document of the Security Council.

(*Signed*) Maged **Abdelaziz**

05-41205 (E) 070705

United Nations A/59/866–S/2005/439

General Assembly
Security Council

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General Assembly
Fifty-ninth session
Agenda item 29
Question of Cyprus

Security Council
Sixtieth year

Letter dated 5 July 2005 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 28 June 2005, addressed to you by Reşat Çağlar, Representative of the Turkish Republic of Northern Cyprus (see annex).

I should be grateful if the text of the present letter and its annex could be circulated as a document of the General Assembly, under agenda item 29, and of the Security Council.

(*Signed*) Baki **İlkin**
Ambassador
Permanent Representative

05-41251 (E) 120705

Annex to the letter dated 5 July 2005 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

28 June 2005

Upon instructions from my Government, I have the honour to refer to the letter dated 14 June 2005 addressed to you by the Greek Cypriot representative in New York and circulated as a document of the General Assembly and of the Security Council (A/59/846-S/2005/387), which yet again contained false accusations against Turkey aimed at diverting attention from the real issues in Cyprus.

The thrust of the Greek Cypriot representative's letter centres on a totally baseless claim that Turkey is attempting to reinforce its military presence in the island by both increasing the number of troops and upgrading its military equipment. The truth, however, is contained in your report on the United Nations Peacekeeping Force in Cyprus (UNFICYP) (S/2005/353 of 27 May 2005), covering almost the same period. The report unequivocally states and I quote: "The rotation of Turkish troops and their equipment did not imply a reinforcement. The number of Turkish troops and the nature of their equipment thus remained unchanged ..." (para. 10). I am truly spellbound that such glaringly false claims can be made by the Greek Cypriot representative in a letter circulated as a United Nations document.

It should be underlined that none of the Security Council resolutions on Cyprus, including the one referred to in the Greek Cypriot representative's letter, describe the legitimate and justified Turkish intervention of 1974, undertaken in accordance with the Treaty of Guarantee of 1960, as "invasion" or the presence of Turkish troops in the island as "occupation". Such distortions are purely a Greek Cypriot invention aimed at blurring the issue and confusing the innocent with the guilty. On this point, I would only like to recall the dramatic statement made by Archbishop Makarios before the Security Council on 19 July 1974 in which he stated and I quote:

> "What was happening in Cyprus since last Monday is a real tragedy. The military regime of Greece has callously violated the independence of Cyprus. Without a trace of respect for the democratic rights of the Cypriot people, without a trace of respect for the independence and sovereignty of the Republic of Cyprus, the Greek junta has extended its dictatorship to Cyprus ... It (the coup of the Greek junta) is clearly an invasion from outside, in flagrant violation of the independence and sovereignty of the Republic of Cyprus ... The coup of the Greek junta is an invasion, and from its consequences the whole people of Cyprus suffers, both Greeks and Turks ... The Security Council should call upon the military regime of Greece to withdraw from Cyprus the Greek officers serving in the National Guard, and to put an end its invasion of Cyprus".

It is, in fact, true that there is an occupation in Cyprus and it is the 42-year-old usurpation and continued occupation of the seat of Government by the Greek Cypriot side since 1963, when all Turkish Cypriot members of all State organs were forcibly ejected from their positions. The Turkish Cypriot partner did not accept this attempted takeover of the binational State by the Greek Cypriot side and, through its national resistance, prevented the Greek Cypriot side from extending its authority

over the Turkish Cypriot people. In consequence, since December 1963, there has not been a joint central administration in the island, capable of representing the whole of Cyprus, either legally or factually. Each side has since ruled itself, while the Greek Cypriot side has continued to claim that it is the "Government of Cyprus".

As for the Greek Cypriot representative's remarks pertaining to a political settlement in Cyprus, your remark in your mission of good offices report on Cyprus (S/2004/437) dated 28 May 2004 that "What was rejected [by the Greek Cypriots] was the solution itself rather than a mere blueprint" needs no further elaboration. In this context, you also stated that "if the Greek Cypriots are ready to share power and responsibility with the Turkish Cypriots in a federal structure based on political equality, this needs to be demonstrated, not just by word, but by action" and that "if they [Greek Cypriots] remain willing to resolve the Cyprus problem through a bicommunal, bizonal federation, this needs to be demonstrated. Lingering Greek Cypriot concerns about security and implementation of the plan need to be articulated with clarity and finality". Despite this call being reiterated by you on various occasions, it has not yet been properly responded to by the Greek Cypriot leadership. The failure and the unwillingness of the Greek Cypriot side to do so clearly demonstrates that it is not, and has never been, interested in a mutually acceptable settlement, despite continuously professing to the contrary.

The Turkish Cypriot people, on the other hand, continues to adopt a conciliatory approach, and proved, beyond any doubt, their willingness and sincerity for a fair and just settlement in Cyprus by voting overwhelmingly for your settlement plan on 24 April 2004. This declared will of the Turkish Cypriot people, as you put it clearly in the same report, "has undone any rationale ... for pressuring and isolating them". In the same document, you also call on the international community "to eliminate unnecessary restrictions and barriers that have the effect of isolating the Turkish Cypriots and impeding their development". You have made it clear that you are as anxious as the Turkish Cypriot side to see that the report is taken up by the Security Council and endorsed with a resolution that would reflect the letter and the spirit of this historical document. In the meantime, however, despite the efforts of the Greek Cypriot administration to the contrary, we expect international organizations, as well as individual countries, to take concrete steps with a view to materializing their declared will to end the isolation of the Turkish Cypriot people. Such a move is not only a requirement for fairness in Cyprus, but is also the only way to create another window of opportunity from the present impasse that the Greek Cypriot side has created itself.

As for the Greek Cypriot representative's questioning of the real intentions of Turkey vis-à-vis the settlement of the Cyprus problem, I would like to refer, once again, to your latest mission of good offices report, in which you stated and I quote:

> "Prime Minister Erdoğan of Turkey spoke out strongly in favour of a 'Yes' vote, as did Turkish Foreign Minister Gül ... By the commitments made to me by Prime Minister Erdoğan on 24 January 2004 when we met at Davos, and by Turkey's determination throughout the February meetings in New York, the talks process in Cyprus, and the culmination in Bürgenstock, the effort to reach a settlement received an immeasurable boost ... Prime Minister Erdoğan's commitment to me to be one step ahead in the efforts for a solution was kept, and I appreciated the strong support of the Turkish Government, from the top down, for my efforts".

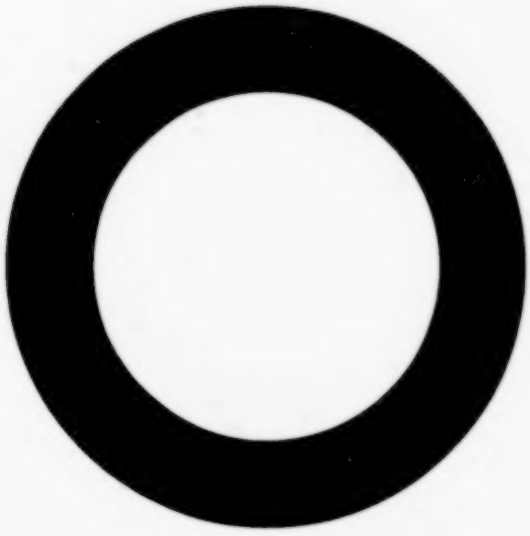
In the light of this undeniable fact, the Greek Cypriot side should cease to level untenable accusations against Turkey and to be reminded that its counterpart is, and has always been, the Turkish Cypriot side, not Turkey.

It hardly needs to be stressed that your settlement plan, which the Greek Cypriot representative understandably took special care not to make a single reference to, provided, among other things, for a phased reduction of both Turkish and Greek forces in the island according to a fixed timetable. He also, conveniently, made no reference to the Greek troops stationed in south Cyprus whose existence on the island predates that of the Turkish troops at least for a decade.

Turkish Cypriot people are for a new partnership in Cyprus as unequivocally reflected in the results of the referendums held in the island last year. Bizonality, sovereign equality and the continuation of the 1960 system of guarantees are essential ingredients of a viable and lasting settlement. In order to have a realistic chance of achieving this goal, the Turkish Cypriot side must have a negotiating partner who has come to terms with its heavy responsibility in the creation of the Cyprus issue, and who is willing and able to negotiate for a new partnership free of the devious tactics employed hitherto. As a first step, the Greek Cypriot side, without further delay, should heed to your call and pronounce itself with "clarity" and "finality" on the questions you put to it.

I should be grateful if the text of the present letter could be circulated as a document of the General Assembly, under agenda item 29, and of the Security Council.

(*Signed*) Reşat **Çağlar**
Representative
Turkish Republic of Northern Cyprus



United Nations S/2005/440

Security Council

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7 July 2005

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Letter dated 7 July 2005 from the Secretary-General addressed to the President of the Security Council

With reference to Security Council resolution 1575 (2004) of 22 November 2004, I have the honour to convey the attached letter dated 16 June 2005, which I received from the Secretary-General and High Representative for the Common Foreign and Security Policy of the European Union, transmitting the report on the activities of the European Union military mission in Bosnia and Herzegovina (EUFOR), covering the period from 1 March to 31 May 2005 (see annex).

I should be grateful if you would bring the present letter and its annex to the attention of the members of the Security Council.

(*Signed*) Kofi A. **Annan**

05-41319 (E) 120705

Annex

Letter dated 16 June 2005 from the Secretary-General and High Representative for the Common Foreign and Security Policy of the European Union addressed to the Secretary-General

In accordance with the provisions of Security Council resolution 1575 (2004), I attach the second three-monthly report on the activities of the European Union military mission in Bosnia and Herzegovina (EUFOR) (see enclosure). The report covers the period from 1 March to 31 May 2005. I would be grateful if you would transmit this report to the President of the Security Council.

(*Signed*) Javier **Solana**

Enclosure

Report of the Secretary-General and High Representative for the Common Foreign and Security Policy of the European Union on the activities of the European Union military mission in Bosnia and Herzegovina

Introduction

1. This report covers the period from 1 March to 31 May 2005.

2. The Security Council, by its resolution 1575 (2004), of 22 November 2004, requested Member States, acting through or in cooperation with the European Union, to report to the Council on the activity of the European Union military mission in Bosnia and Herzegovina (EUFOR), through the appropriate channels and at a minimum of three-monthly intervals. The present document is the second such report to the Council.

Political background

3. Overall, during the reporting period, the political and military situation in Bosnia and Herzegovina has remained stable, although there have been some difficult events.

4. On 2 March, the Bosnian Croat member of the Presidency of Bosnia and Herzegovina, Dragan Covic, was indicted by the Bosnia and Herzegovina Prosecutor for abuse of office/official authority and links to organized crime in his capacity as former Minister of Finance of Bosnia and Herzegovina. The indictment was confirmed by the State Court on 10 March. The Peace Implementation Council Steering Board took the view that the indictment should be confirmed and, given the international community's long-standing emphasis on raising standards in public life and the public perception in Bosnia and Herzegovina that corruption is endemic in the political classes, it expected Mr. Covic to resign, while it, at all times, acknowledged his right to the presumption of innocence. President Covic signalled his intention not to stand down, so Lord Ashdown, in his capacity as High Representative, decided to remove him from office on 29 March. President Covic's removal took place relatively quietly, without any significant interruption in the exercise of government or the reform process and, on 9 May, the House of Peoples confirmed Ivo Miro Jovic as the new Croat member of the Presidency.

5. On 16 April, two conscript induction ceremonies in Republika Srpska were seriously disrupted by displays of nationalist Bosnian Serb sentiments. The ceremonies were the first in the Republika Srpska at which Bosnia and Herzegovina flags were displayed and the national oath, which includes a commitment to defend Bosnia and Herzegovina, was to be taken in accordance with the Bosnia and Herzegovina defence law of December 2003. At one ceremony, in Manjaca, the 551 conscripts, in unison, substituted "Republika Srpska" for "Bosnia and Herzegovina" in the public affirmation of the oath and 99 of them subsequently refused to sign the oath correctly. Media coverage of the Manjaca ceremony has had a significant impact on the public of Bosnia and Herzegovina, calling into question the constitutional loyalty of the Bosnian Serb part of the Bosnia and Herzegovina armed forces and the judgement and military professionalism of its leadership as well as undermining confidence in the reliability of the Republika Srpska component of the

armed forces. An inquiry has been held, but the report, issued on 6 May, left a number of important questions unanswered. Furthermore, the corrective measures proposed were limited to reprimands and disciplinary proceedings against 11 low-ranking individuals. The High Representative and European Union Special Representative, the Commander of EUFOR and the North Atlantic Treaty Organization (NATO) Senior Military Representative have all called on the Presidency of Bosnia and Herzegovina to ensure that senior commanders are properly held to account.

6. On a more positive note, since the creation of the International Criminal Tribunal for the Former Yugoslavia monitoring group by Prime Minister Terzic and the High Representative and European Union Special Representative in early February, a total of 50 action points have so far been reported on. Progress on remaining Tribunal issues is now followed up by a joint working group between the Prime Minister's cabinet, the Office of the High Representative and the Tribunal. This working group oversees the continued efforts by State and entity law enforcement and security agencies to fully cooperate with the Tribunal. The cooperation of the Republika Srpska with the Tribunal has significantly improved, although pressure must continue to be upheld until all remaining indictees, including Karadic and Mladic, are transferred to The Hague.

European Union Stabilization and Association Process

7. Bosnia and Herzegovina has made commendable progress in recent months on a number of European Commission feasibility study's priority reform areas. Several difficult areas remain, however, where further progress is needed for the European Commission to consider that significant progress has been achieved across all 16 reform priorities. Cooperation with the International Criminal Tribunal for the Former Yugoslavia continues to be a key condition, although recent events have been an encouraging first step. Police restructuring and the creation of a unified public broadcasting system are the main obstacles on Bosnia and Herzegovina's road to a positive Stabilisation and Association Agreement (SAA) recommendation from the European Commission.

8. On 16 May, multi-party negotiations on police restructuring suffered a serious setback when key party leaders of the Republika Srpska failed to accept policing districts that would cross the Inter-Entity Boundary Line (IEBL) and thus meet the requirement of European Union for policing areas drawn up on the basis of functionality. The Republika Srpska National Assembly rejected this requirement again at its special session on 30 May, insisting that any model of police (re-)organization in which local police regions would cross the Inter-Entity Boundary Line was unacceptable. The feasibility study requires structural police reform with a view to rationalizing police services. Bosnia and Herzegovina political leaders need to reach a comprehensive agreement that conforms to European Union principles: all legislative and budgetary police competencies must be vested at state level and be applied in functional areas, so as to achieve technically efficient policing; and there must be no political interference in operational policing. Without this, it will not be possible for the European Commission to recommend the opening of negotiations on a Stabilisation and Association Agreement.

Activities of the European Union military mission in Bosnia and Herzegovina

9. EUFOR currently comprises some 6,500 troops from 22 EU member States and 11 other countries,[1] which are deployed throughout Bosnia and Herzegovina in three regional multinational task forces and EUFOR headquarters. Cyprus and Malta also contribute to the common costs of this operation. Over the reporting period, EUFOR has continued to consolidate its position as a credible and robust military force, conducting operations in line with its mandate.

10. EUFOR task forces continue to carry out a variety of operations, including: patrolling to demonstrate EUFOR's presence, particularly in sensitive and remote areas; liaison and observation activities; collection of illegal weapons from the community; and specific operations to ensure compliance with the General Framework Agreement for Peace in Bosnia and Herzegovina and prevent anti-Dayton activities.

11. A sound information strategy underpins all activities. These operations have successfully accomplished the desired effects of reassurance, deterrence and maintaining a safe and secure environment. During April, the European Union also successfully exercised its ability to deploy a strategic, over-the-horizon reserve force and tactical in-theatre reserve forces into Bosnia and Herzegovina. The additional forces also provided a useful contribution to the ongoing activities of EUFOR during the deployment period.

12. Routine liaison activities are also conducted to assist and support capacity-building in the local police and other agencies such as the State Border Service and the Indirect Taxation Authority, as appropriate and in coordination with the EU Special Representative, the European Union Police Mission and European Commission delegation. The EUFOR Integrated Police Unit capability is, in particular, continuing to assist the State Border Service in preventing illegal activities along the borders, helping prevent the unauthorized entry of people and goods into Bosnia and Herzegovina and thus deterring potential smuggling activity. Indications are that the local agencies and authorities, such as the police and the State Border Service are benefiting from the support and encouragement of EUFOR.

13. The combined European Union effort has gained momentum as it has synergized the military, police and economic lines of operation, including by conducting a series of well-coordinated operations. Over the last three months, EUFOR has carried out some large scale operations aimed at assisting Bosnia and Herzegovina authorities in cracking down on organized crime networks. These operations have contributed to the objectives of the Mission Implementation Plan of the Office of the High Representative and the European Union Police Mission and have raised public awareness by their visibility throughout Bosnia and Herzegovina. The major discovery thus far was on 11 April, when the State Border Service, supported by EUFOR, found approximately 27 kilograms of high-grade heroin at a border crossing point, while elsewhere, on the same day, the Service, with the

[1] The countries contributing to EUFOR are: Austria, Belgium, the Czech Republic, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, the Netherlands, Poland, Portugal, Slovakia, Slovenia, Spain, Sweden, the United Kingdom of Great Britain and Northern Ireland, Albania, Argentina, Bulgaria, Canada, Chile, Morocco, Norway, New Zealand, Romania, Switzerland and Turkey.

support from other EUFOR units, disrupted a human trafficking gang and arrested three people.

14. Close working relationships have also been forged with wider international and national agencies. The Commander of EUFOR recently hosted a high-level meeting where, for the first time, the senior staff of all Bosnia and Herzegovina crime and security related organizations (the Indirect Taxation Authority, State Investigation and Protection Agency, State Border Service and the local police) were brought together with EUFOR, European Union Police Mission, the European Union Customs Financial Assistance Office and personnel from the Office of the High Representative, to discuss current and future military operations, including those in support of the fight against organized crime.

15. There is still a large volume of illegally held weapons and ammunition in Bosnia and Herzegovina, despite nearly 10 years of collection. Specific operations are conducted in conjunction with the appropriate authorities, to either collect voluntarily surrendered arms or ammunition under amnesty conditions, or, if necessary, to collect weapons and ammunition in more invasive operations. Between 1 February and 30 April, almost 2,000 small arms, over 300,000 rounds of ammunition, over 5,000 hand grenades and mines and over 7,000 kilograms of explosives have been recovered.

Outlook

16. EUFOR has continued to carry out its operations successfully, maintaining the comprehensive and inclusive approach adopted since the mission was launched. Task force framework operations will continue as described while valuable information and lessons will continue to be drawn from all EUFOR operations and activities. Coordination and cooperation with the international community as a whole has been firmly established. Efforts will continue to support local capacity-building, including bringing local organizations and authorities together in the planning and conduct of operations, especially in support of the fight against organized crime.

17. Working closely with the European Union Special Representative, EUFOR will continue to monitor developments on the political front, in particular further efforts towards achieving police restructuring and any ongoing consequences of the events of the conscript induction ceremonies.